

SAM POWELL

IBLA 78-244

Decided August 21, 1978

Appeal from decision of the Utah State Office, Bureau of Land Management, rejecting simultaneously filed oil and gas lease offer U-39473.

Affirmed.

1. Oil and Gas Leases: Applications: Drawings

A simultaneously filed offer to lease for oil and gas is properly rejected where the offeror fails to complete the drawing entry card by filling in the name of the State in which he resides.

APPEARANCES: Sam Powell, pro se.

OPINION BY ADMINISTRATIVE JUDGE HENRIQUES

Sam Powell appeals from a January 26, 1978, decision of the Utah State Office, Bureau of Land Management (BLM), rejecting his simultaneously filed offer to lease for oil and gas. Appellant's offer, submitted on the BLM drawing entry card (DEC), was rejected for the reason that he omitted to supply the State of his residence in the address blocks provided for that purpose on the card.

Powell argues on appeal that since he listed an address in Salt Lake City and there is no Salt Lake City in any State but Utah, the omission was immaterial. Powell reinforces this contention by noting that he supplied the correct zip code, which would have resolved any possible ambiguity, and that BLM had no trouble in sending a rejection notice to his proper address. While appellant's contentions appear meritorious when viewed out of context, we find that the stringent and specific rules needed to administer the enormous volume of cards involved in the BLM noncompetitive drawing process clearly require the rejection of this offer.

[1] Regulation 43 CFR 3112.2-1(a) which describes the steps necessary before an offeror can be considered to be a qualified

applicant for purposes of receiving a noncompetitive Federal oil and gas lease, states that drawing entry cards must be "signed and fully executed" by the offeror. As this Board has held repeatedly in the past, a card which does not include the full address of the offeror is not fully executed within the meaning of the above regulation, and must be disqualified. Indeed, cards which omitted only the offeror's zip code have been held incomplete and rejected, the rejection being upheld by this Board. See Amy V. Hanthorn, 27 IBLA 369 (1976); Raymond F. Kaiser, 27 IBLA 373 (1976). As we stated in Hanthorn, supra, "the regulation and notice make it clear that no mistakes will be permitted" (emphasis in original) due to the increasingly large numbers of DEC's which must be processed by BLM. Thus, for the reasons outlined in that decision, appellant's offer was properly rejected.

Accordingly, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

Douglas E. Henriques  
Administrative Judge

We concur:

Joan B. Thompson  
Administrative Judge

Joseph W. Goss  
Administrative Judge

